## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ROBERT NEUMAN,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	Case No. 4:09CV1027 CDP
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

## **MEMORANDUM AND ORDER**

Plaintiff Robert Neuman moves for an award of attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, seeking fees in the amount of \$363.64. Defendant has not objected.

On October 2, 2009, I remanded this case to defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A claimant seeking judicial review of a final decision denying Social Security benefits may recover attorney's fees if he receives a sentence four remand. *See Shalala v. Schaefer*, 509 U.S. 292, 295-96 (1993). Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees, I find he is entitled to an award in the amount requested of \$363.64.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for attorney's fees [#15] is granted.

**IT IS FURTHER ORDERED** that defendant pay plaintiff attorney's fees and costs in the amount of \$363.64.

CATHERINE D. PERRY

UNITED STATES DISTRICT JUDGE

Dated this 12th day of November, 2009.